

***PATENT***

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Andre Peter **STEYNBERG**

Serial No.: 10/588,475

Group No. 1743

Filed: February 19, 2008

Examiner: N/A

Confirmation No. 6714

For: CO-PRODUCTION OF HYDROCARBONS AND DIMETHYL ETHER

**Attorney Docket No.: U 016429-4**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**Date of this Paper:**  
October 17, 2008

**REQUEST TO WITHDRAW HOLDING OF ABANDONMENT**

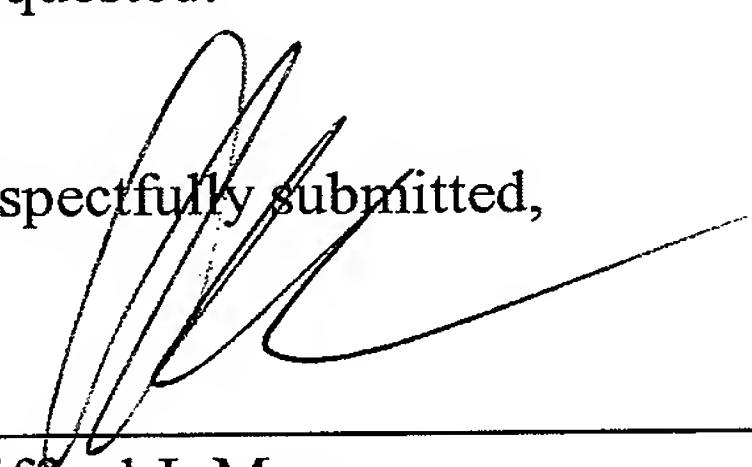
The Notification of Abandonment mailed on October 9, 2008 states that the Applicant has failed to respond to the Notification of Missing Requirements mailed on February 7, 2008 within the time period set therein and has failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495 and is abandoned.

However, Applicant timely responded to the Notification of Missing Requirements by filing the Declaration and paying the \$130.00 surcharge for accepting the Declaration later than 30 months on February 19, 2008.

Attached are copies of Transmittal letter Completion of Filing Requirements, copy of Form PCT/DO/EO/905, Declaration and Power of Attorney, a copy of our cancelled check for \$130.00 and the Patent Office acknowledgement postcard acknowledging receipt of the documents on February 19, 2008.

Withdrawal of the holding of abandonment is requested.

Respectfully submitted,



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Clifford J. Mass  
Ladas & Parry LLP  
26 West 61<sup>st</sup> Street  
New York, New York 10023  
Reg. No. 30086 Tel.No. (212) 708-1890

IN THE UNITED STATES ELECTED OFFICE (EO/US)

PCT/IB2005/050449

03 FEBRUARY 2005

05 FEBRUARY 2004

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

CO-PRODUCTION OF HYDROCARBONS AND DIMETHYL ETHER

TITLE OF INVENTION

André Peter STEYNBERG, Pierre GREEFF

APPLICANT(S)

Mail Stop PCT

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

ATTENTION: EO/US

COMPLETION OF FILING REQUIREMENTS  
FOR INTERNATIONAL APPLICATION ENTERING U.S. NATIONAL STAGE  
IN U.S. ELECTED OFFICE (EO/US) UNDER 35 U.S.C. § 371

*(check and complete the applicable item, if applicable)*

- [X] This replies to the Notification of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. § 1.495 (FORM PCT/DO/EO/905).
- [X] A copy of FORM PCT/DO/EO/905 accompanies this response.

CERTIFICATION UNDER 37 C.F.R. 1.10\*

*(Express Mail label number is mandatory.)*

*(Express Mail certification is optional.)*

I hereby certify that this Completion of Filing Requirements and the papers indicated as being transmitted therewith are being deposited with the United States Postal Service on this date February 19, 2008, in an envelope as "Express Mail Post Office to Addressee," Mailing Label Number EV927572528 US, addressed to the: Commissioner for Patents/P. O. Box 1450, Alexandria, VA 22313-1450.

*(type or print name of person mailing paper)*

GERALDINE MARTI

Signature of person mailing paper

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).  
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

**WARNING:** *Where the items being submitted to complete the entry of the international application into the national phase are subsequent to 30 months from the priority date the application is still considered to be in the international state and if mailing procedures are utilized to obtain a date the express mail procedure of 37 C.F.R. § 1.10 must be used (because international application papers are not covered by an ordinary certificate of mailing. 37 C.F.R. § 108(2)(xi).*

**NOTE:** *Documents and fees must be clearly identified as a submission to enter the national stage under 35 U.S.C. § 371. Otherwise, the submission will be considered as being made under 35 U.S.C. § 111. 37 C.F.R. § 1.495(g).*

## DECLARATION OR OATH

**NOTE:** *37 C.F.R. § 1.495(c): "If applicant complies with paragraph (b) of this section before expiration of thirty months from the priority date but omits . . . the oath or declaration of the inventor (35 U.S.C. 371(c)(4) and § 1.497), if a declaration of inventorship in compliance with § 1.497 has not been previously submitted in the international application under PCT Rule 4.17 (iv) within the time limits provided for in PCT Rule 26ter.1, applicant will be so notified and given a period of time within which to file the . . . oath or declaration in order to prevent abandonment of the application . . . . The payment of the surcharge set forth in § 1.492(e) is required for acceptance of the oath or declaration of the inventor later than the expiration of **thirty** months after the priority date."*

**I.**      (a)      ☒      No original declaration or oath was filed. Enclosed is the original declaration or oath for this application.

### OR

          (b)      ☐      The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

**NOTE:** *For surcharge fee for filing declaration after filing date complete item IV(3)*

**NOTE:** *NOTE: Acceptable minimums in the declaration in an ordinarily filed U.S. application for identification of the specification to which it applies are:*

- (A) application number (consisting of the series code and the serial number, e.g., 08/123,456);*
- (B) serial number and filing date;*
- (C) attorney docket number which was on the specification as filed;*
- (D) title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or*
- (E) title which was on the specification as filed and accompanied by a cover letter accurately identifying the application for which it was intended by either the application number (consisting of the series code and the serial number, e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application filed in the PTO is the application which the inventor(s) executed by signing the oath or declaration.*

*M.P.E.P. § 602, 8<sup>th</sup> ed.*

**NOTE:** *Another minimum found acceptable in the declaration is the filing date (i.e., date of express mail) and the express mail number, useful where the serial number is not yet known. But note the practice where the express mail deposit is a Saturday, Sunday or holiday within the District of Columbia. 37 C.F.R. § 1.10(c).*

**NOTE:** *See 37 C.F.R. § 1.41(a).*

(complete as applicable)

Attached is a

- (a) ☐ Statement by practitioner that papers attached to declaration are a copy of those filed in PTO to get a filing date
- (b) ☐ Statement that substitute specification contains no new matter.
- (c) ☐ Preliminary Amendment
- (d) ☐ Submission of "Sequence Listing," computer readable copy, and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence

**TRANSMITTAL OF ENGLISH TRANSLATION  
OF NON-ENGLISH LANGUAGE PAPERS**

- II.** ☐ Submitted herewith is an English translation of the non-English language international application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO. (See 37 C.F.R. 1.495(c))

*NOTE:* For fee for processing a non-English application, complete item IV(4).

*NOTE:* A non-English oath or declaration in the form provided or approved by the PTO need not be translated. 37 C.F.R. § 1.69(b).

**FEES**

**III.**

*NOTE:* See 37 C.F.R. § 1.28(a).

**1. Fees for search, exam or claims**

- ☐ Non-U.S. Search Report filed —\$410.00;  
small entity—\$205.00 \$\_\_\_\_\_
- ☐ No Search Report —\$510.00; small entity —\$255.00 \$\_\_\_\_\_
- ☐ Exam Fee not paid to U. S.—\$210.00; small entity—\$105.00 \$\_\_\_\_\_
- ☐ Search and Exam fee with U.S. WO or IPER conditions  
not satisfied—\$100.00; small entity—\$50.00 \$\_\_\_\_\_
- ☐ Search and Exam fee with U.S. WO or IPER conditions  
satisfied—\$0.00 \$\_\_\_\_\_

- ☐ Spec and drawing, each 50 pages over 100  
37 C.F.R. 1.16(s)—\$250.00 \$ \_\_\_\_\_
- ☐ Each independent claim in excess of 3  
(37 C.F.R. § 1.492—\$210.00; small entity—\$105.00) \$ \_\_\_\_\_
- ☐ each claim in excess of 20  
(37 C.F.R. § 1.492—\$50.00; small entity—\$25.00) \$ \_\_\_\_\_
- ☐ multiple dependent claims(s)  
(37 C.F.R. § 1.492—\$370.00; small entity—\$185.00) \$ \_\_\_\_\_

2. Surcharge fees

- ☒ surcharge set forth in 37 C.F.R. § 1.492(e) for accepting  
the declaration later than 30 months after the priority date  
in filing an application in the U.S. as a designated  
office—\$130.00; small entity—\$65.00 \$ 130.00

*NOTE: The processing fee in the next item 3 below is not subject to a reduction for small entity status.*

3. ☐ processing fee set forth in 37 C.F.R. § 1.492(f)  
for acceptance of an English translation later  
than 30 months after the priority date—\$130.00 \$ \_\_\_\_\_

**Total Fees** \$ 130.00

**SMALL ENTITY STATUS**

- IV. a. ☐ A Statement or Written Assertion that this filing is by a small entity

*NOTE: See 37 C.F.R. § 1.28(a).*

*(check and complete applicable items)*

- ☐ is attached.  
☐ was filed on \_\_\_\_\_.  
☐ was made by paying the basic national fee as a small entity.
- b. ☐ A separate refund request accompanies this paper.

## EXTENSION OF TIME

(complete (a) or (b), as applicable)

V.

The proceedings herein are for a patent application. Accordingly, the provisions of 37 C.F.R. § 1.136(a) apply.

- (a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked out below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 460.00	\$ 230.00
<input type="checkbox"/> three months	\$ 1,050.00	\$ 525.00
<input type="checkbox"/> four months	\$ 1,630.00	\$ 815.00

**NOTE:** The 2-month time period for reply to A Notice to File Missing Parts of an Application is not identified on the Notice as a statutory period subject to 35 U.S.C. 133. Thus, extensions of time of up to 5 months under 37 CFR 1.136(a), followed by additional time under 37 CFR 1.136(b), when appropriate, are permitted. MPEP 710.02(d)(c), 8<sup>th</sup> ed.

<input type="checkbox"/> five months	\$ 2,220.00	\$ 1,110.00
	Fee \$ _____	

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured. The fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

or

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.



## TOTAL FEE DUE

### VI.

The total fee due is:

Completion fee(s)      \$130.00  
Extension fee (if any)    \$  
TOTAL FEE DUE \$ 130.00

## PAYMENT OF FEES

### VII.

- ☒ Enclosed is a check in the amount of \$ 130.00  
☐ Charge Account No. 12-0425 in the amount of \$  
☐ A duplicate of this request is attached.

*NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 C.F.R. § 1.22(b).*

## AUTHORIZATION TO CHARGE ADDITIONAL FEES

### VIII.

**WARNING:** *Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges if extra claims are authorized.*

**NOTE:** *"A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. § 1.136(a)(3).*

**NOTE:** *"Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 C.F.R. § 1.26(a).*

- ☒ The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the entire pendency of this application to Account No. 12-0425

- ☒ 37 C.F.R. § 1.492(a), (b) or (c) (search or exam fee)  
☐ 37 C.F.R. § 1.492(b), (c), and (d) (presentation of extra claims)

**NOTE:** *Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.R. § 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.*

- ☒ 37 C.F.R. 1.16(s) (spec and drawing, each 50 pages over 100)  
☒ 37 C.F.R. § 1.17 (application processing fees)  
☒ 37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a)).

*NOTE: Section 1.311(b) provides that an authorization to charge the issue fee (§ 1.18) to a deposit account may be filed in an individual application **only after the mailing of the notice of allowance**. Accordingly, general authorizations to any fees and specific authorizations to pay the issue fee that are filed prior to the mailing of a notice of allowance will generally not be treated as requesting payment of the issue fee and will not be given effect to act as a reply to the notice of allowance. Applicant, when paying the issue fee, should submit a new authorization to charge fees, such as by completing box 6b on the current PTOL 85-B form. Where no reply to the notice of allowance is received, the application will stand abandoned notwithstanding the presence of general authorizations to pay fees or a specific authorization to pay the issue fee that were submitted prior to mailing of the notice of allowance. Where an attempt is made to pay the issue fee but an incorrect amount is submitted, § 1.311(b)(1), or where the Office's issue fee transmittal form (currently PTOL-85(B)) is completed by applicant and submitted, § 1.311(b)(2), in reply to a notice of allowance, an exception will be made. Such submissions will operate as a request to charge the issue fee to any deposit account identified in a previously filed (i.e., submitted prior to the mailing of the notice of allowance) authorization to charge fees, and will be allowed to act as payment of the correct issue fee. § 1.311(b). See also the change to § 1.26(b), Notice of September 8, 2000, Fed. Reg. 54603-54683, at 54646 and 54647.*

- [X] 37 C.F.R. § 1.492(e) and/or (f) surcharge fees for filing the declaration and/or an English translation of an international application later than 30 months from the earliest-claimed priority date.

**WARNING:** *It would be wise to always check this last authorization.*

Refund any overpayment to deposit account 12-0425.

Reg. No.: 30,086

Tel. No.: (212)708-1890

  
\_\_\_\_\_  
**SIGNATURE OF PRACTITIONER**

CLIFFORD J. MASS

\_\_\_\_\_  
*(type or print name of practitioner)*

\_\_\_\_\_  
P.O. Address

\_\_\_\_\_  
c/o Ladas & Parry LLP  
26 West 61<sup>st</sup> Street  
New York, N.Y. 10023

Customer No.:



00140

PATENT TRADEMARK OFFICE





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
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10/588,475

Andre Peter Steynberg

U 016429-4

140

LADAS & PARRY LLP  
26 WEST 61ST STREET  
NEW YORK, NY 10023

RECEIVED

FEB 13 2008

L & P LLP

INTERNATIONAL APPLICATION NO.

PCT/IB05/50449

I.A. FILING DATE	PRIORITY DATE
02/03/2005	02/05/2004

CONFIRMATION NO. 6714  
371 FORMALITIES LETTER



\*OC000000028162487\*

Date Mailed: 02/07/2008

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- Priority Document
- Copy of the International Application filed on 08/04/2006
- Copy of the International Search Report filed on 08/04/2006
- Copy of IPE Report filed on 08/04/2006
- Preliminary Amendments filed on 08/04/2006
- Request for Immediate Examination filed on 08/04/2006
- U.S. Basic National Fees filed on 08/04/2006
- Priority Documents filed on 08/04/2006
- Specification filed on 08/04/2006
- Claims filed on 08/04/2006
- Abstracts filed on 08/04/2006
- Drawings filed on 08/04/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

PAULETTE R KIDWELL

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Telephone: (703) 308-9140 EXT 216

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**COMBINED DECLARATION AND POWER OF ATTORNEY**

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(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL, CONTINUATION, OR C-I-P)

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As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type:

*(check one applicable item below)*

- ☐ original  
☐ design

**NOTE:** With the exception of a supplemental oath or declarations submitted in a reissue, a supplemental oath or declaration is not treated as an amendment under 37 CFR 1.312 (Amendments after allowance). M.P.E.P. Section 714.16, 7<sup>th</sup> Ed.

- ☐ supplemental

**NOTE:** If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application, do not check next item; check appropriate one of last three items.

- ☒ national stage of PCT

**NOTE:** If one of the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR C-I-P.

**NOTE:** See 37 C.F.R. Section 1.63(d) (continued prosecution application) for use of a prior nonprovisional application declaration in the continuation or divisional application being filed on behalf of the same or fewer of the inventors named in the prior application.

- ☐ divisional  
☐ continuation

**NOTE:** Where an application discloses and claims subject matter not disclosed in the prior application, or a continuation or divisional application names an inventor not named in the prior application, a continuation-in-part application must be filed under 37 C.F.R. Section 1.53(b) (application filing requirements - non-provisional application).

- ☐ continuation-in-part (C-I-P)

**INVENTORSHIP IDENTIFICATION**

**WARNING:** If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor *(if only one name is listed below)* or an original, first and joint inventor *(if plural names are listed below)* of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

## TITLE OF INVENTION

CO-PRODUCTION OF HYDROCARBONS AND DIMETHYL ETHER

### SPECIFICATION IDENTIFICATION

The specification of which:

(complete (a), (b), or (c))

(a) ☐ is attached hereto

NOTE: "The following combinations of information supplied in an oath or declaration filed on the application filing date with a specification are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 C.F.R. Section 1.63:

"(1) name of inventor(s), and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration of filing;

"(2) name of inventor(s), and attorney docket number which was on the specification as filed; or

"(3) name of inventor(s), and title which was on the specification as filed."

Notice of July 23, 1995 (1177 O.G. 60).

(b) ☐ was filed on \_\_\_\_\_, ☐ as Application No. \_\_\_\_\_  
☐ and was amended on \_\_\_\_\_ (if applicable).

NOTE: Amendments filed after the original papers are deposited with the PTO that contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 C.F.R. Section 1.67.

NOTE: "The following combinations of information supplied in an oath or declaration filed after the filing date are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 C.F.R. Section 1.63:

- ☐ application number (consisting of the series code and the serial number, e.g., 08/123,456);
- ☐ serial number and filing date;
- ☐ attorney docket number which was on the specification as filed;
- ☐ title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or
- ☐ title which was on the specification as filed and accompanied by a cover letter accurately identifying the application for which it was intended by either the application number (consisting of the series code and the serial number, e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application filed in the PTO is the application which the inventor(s) executed by signing the oath or declaration.

M.P.E.P. Section 601.01(a), 7<sup>th</sup> ed.

(c) ☐ was described and claimed in PCT International Application No. PCT/IB2005/050449 filed on 3 February 2005 and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

## **SUPPLEMENTAL DECLARATION (37 C.F.R. Section 1.67(b))**

*(complete the following where a supplemental declaration is being submitted)*

- ☐ I hereby declare that the subject matter of the
  - ☐ attached amendment
  - ☐ amendment filed on \_\_\_\_\_

was part of my/our invention and was invented before the filing date of the original application, above identified, for such invention.

## **ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56,

*(also check the following items, if desired)*

- ☐ and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and
- ☐ in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 C.F.R. Section 1.98.

## PRIORITY CLAIM (35 U.S.C. Section 119(a)-(d))

NOTE: 37 C.F.R. § 1.55 Claim for foreign priority.

- "(a) An applicant in a nonprovisional application may claim the benefit of the filing date of one or more prior foreign applications under the conditions specified in 35 U.S.C. 119(a) through (d) and (f), 172, and 365(a) and (b).
- (1) (i) In an original application filed under 35 U.S.C. 111(a), the claim for priority must be presented during the pendency of the application, and within the later of four months from the actual filing date of the application or sixteen months from the filing date of the prior foreign application. This time period is not extendable. The claim must identify the foreign application for which priority is claimed, as well as any foreign application for the same subject matter and having a filing date before that of the application for which priority is claimed, by specifying the application number, country (or intellectual property authority), day, month and year of its filing. The time period in this paragraph does not apply to an application for a design patent.
- (ii) In an application that entered the national stage from an international application after compliance with 35 U.S.C. 371, the claim for priority must be made during the pendency of the application and within the time limit set forth in the PCT and the Regulations under the Pct."
- (2) The claim for priority and the certified copy of the foreign application specified in 35 U.S.C. 119(b) or PCT Rule 17 must, in any event, be filed before the patent is granted. If the claim for priority or the certified copy of the foreign application is filed after the date the issue fee is paid, it must be accompanied by the processing fee set forth in § 1.17(i) but the patent will not include the priority claim unless corrected by a certificate of correction under 35 U.S.C. 255 and § 1.323.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

- (d) ☐ no such applications have been filed.  
(e) ☒ such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designed the U.S. itself claimed priority check item (e), enter the details below and make the priority claim.

### PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. SECTION 119(a)-(d)

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING DAY, MONTH, YEAR	PRIORITY CLAIMED UNDER 35 USC 119
UNITED STATES	60/542,088	5 FEBRUARY 2004	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO



**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)**  
(35 U.S.C. Section 119(e))

*NOTE: 35 U.S.C. 119(e)(1) required that a nonprovisional application be filed within twelve months of the filing date of the provisional application for the nonprovisional application to claim the benefit of the filing date of the provisional application. Under 35 U.S.C. 21(b) and 119(e)(3), if this twelve-month period expires on a non-business day, it is extended to expire on the next business day.*

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

**PROVISIONAL APPLICATION NUMBER**

\_\_\_\_\_/\_\_\_\_\_  
\_\_\_\_\_/\_\_\_\_\_  
\_\_\_\_\_/\_\_\_\_\_

**FILING DATE**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)**  
**UNDER SECTION 35 U.S.C. SECTION 120**

- ☐ The claim for the benefit of any such applications are set forth in the attached  
ADDED PAGES TO COMBINED DECLARATION AND POWER OF  
ATTORNEY FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN-  
PART (C-I-P) APPLICATION.

**ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS**  
**(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*NOTE: If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR C-I-P APPLICATION for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. Section 120.*

**POWER OF ATTORNEY**

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

*(list name and registration number)*

JOSEPH H. HANDELMAN, 26179

JOHN RICHARDS, 31053

RICHARD J. STREIT, 25765

PETER D. GALLOWAY, 27885

RICHARD P. BERG, 28145

JULIAN H. COHEN, 20302

WILLIAM R. EVANS, 25858

JANET I. CORD, 33778

*(Check the following item, if applicable)*

- ☐ I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Customer No. 00140

- ☐ Attached, as part of this declaration and power of attorney, is the authorization of the above-named practitioner(s) to accept and follow instructions from my representative(s).

NOTE: "Special care should be taken in continuation or divisional applications to ensure that any change of correspondence address in a prior application is reflected in the continuation or divisional application. For example, where a copy of the oath or declaration from the prior application is submitted for a continuation or divisional application filed under 37 CFR 1.53(b) and the copy of the oath or declaration from the prior application designates an old correspondence address, the Office may not recognize, in the continuation or divisional application, the change of correspondence address made during the prosecution of the prior application. Applicant is required to identify the change of correspondence address in the continuation or divisional application to ensure that communications from the Office are mailed to the current correspondence address. 37 CFR 1.63(d)(4)." Section 601.03, M.P.E.P., 7<sup>th</sup> Ed.

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SEND CORRESPONDENCE TO

DIRECT TELEPHONE CALLS TO:  
*(Name and telephone number)*

**Ladas & Parry LLP**  
**26 West 61<sup>st</sup> Street**  
**New York, N.Y. 10023**

---

*(complete the following if applicable)*

Since this filing is a ☐ continuation ☐ divisional there is attached hereto a Change of Correspondence Address so that there will be no question as to where the PTO should direct all correspondence.

### DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## SIGNATURE(S)

NOTE: Carefully indicate the family (or last) name, as it should appear on the filing receipt and all other document.

NOTE: Each inventor must be identified by full name, including the family name, and at least one given name without abbreviation together with any other given name or initial, and by his/her residence, post office address and country of citizenship. 37 C.F.R. Section 1.63(a)(3).

NOTE: Inventors may execute separate declarations/oaths provided each declaration/oath sets forth all the inventors. Section 1.63(a)(3) requires that a declaration/oath, inter alia, identify each inventor and prohibits the execution of separate declarations/oaths which each sets forth only the name of the executing inventor. 62 Fed. Reg. 53,131, 53,142, October 10, 1997.

### Full name of sole or first inventor

André \_\_\_\_\_ Peter \_\_\_\_\_ STEYNBERG \_\_\_\_\_  
(Given Name) (Middle Initial or Name) Family (Or Last Name)

Inventor's signature André Peter Steynberg  
Date September 12, 2006 Country of Citizenship South Africa  
Residence 3 Orange River Street, SE4, 1911 VANDERBIJLPARK, South Africa  
Post Office Address Same as above

### Full name of second joint inventor, if any

Pierre \_\_\_\_\_ GREEFF \_\_\_\_\_  
(Given Name) (Middle Initial or Name) Family (Or Last Name)

Inventor's signature Pierre Greeff  
Date August 21, 2006 Country of Citizenship South Africa  
Residence 108 6<sup>th</sup> Street, Linden, 2195 JOHANNESBURG, South Africa  
Post Office Address Same as above

### Full name of third joint inventor, if any

\_\_\_\_\_  
(Given Name) (Middle Initial or Name) Family (Or Last Name)

Inventor's signature \_\_\_\_\_  
Date \_\_\_\_\_ Country of Citizenship \_\_\_\_\_  
Residence \_\_\_\_\_  
Post Office Address \_\_\_\_\_

(check proper box(es) for any of the following added page(s)  
that form a part of this declaration)

- ☐ **Signature** for fourth and subsequent joint inventors. *Number of pages added* \_\_\_\_\_

\* \* \*

- ☐ **Signature** by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. *Number of pages added* \_\_\_\_\_

\* \* \*

- ☐ **Signature** for inventor who refuses to sign or cannot be reached by person authorized under 37 C.F.R. Section 1.47. *Number of pages added* \_\_\_\_\_

\* \* \*

- ☐ Added page for **signature** by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time. (37 C.F.R. Section 1.47)

\* \* \*

- ☐ Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (C-I-P) application.  
☐ *Number of pages added* \_\_\_\_\_

\* \* \*

- ☐ Authorization of practitioner(s) to accept and follow instructions from representative.

(If no further pages form a part of this Declaration,  
then end this Declaration with this page and check the following item)

☒ This declaration ends with this page.

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February 19, 2008

In Re: André Peter STEYNBERG, et al  
Int' Appln. No.: PCT/IB2005/050449  
Int'l Filing Date: 03 FEBRUARY 2005  
Priority Date Claimed: 05 FEBRUARY 2004

Serial No.: 10/588,475 Filed February 19, 2008  
For: CO-PRODUCTION OF HYDROCARBONS AND DIMETHYL ETHER

Completion of Filing Requirements For International Application Entering National Stage  
in U.S. Designated Office (DO/US) under 35 U.S.C. 371; copy of Form PCT/DO/EO/905;  
Declaration and Power of Attorney; Check for \$130.00 (Completion Fee)  
and Return Postcard

Filed: \_\_\_\_\_

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**CHAPTER II**

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**IAP07Rec'd PCT 19 FEB 2008**